

PETER GOODMAN, ESQ.
State Bar No. 65975
400 Montgomery Street, Second Floor
San Francisco, California 94104
Telephone: (415) 781-8866
Facsimile: (415) 781-2266

Attorney for Defendant
SHI GUANG GUAN

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

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|---------------------------|---|---------------------------------|
| UNITED STATES OF AMERICA, |) | CR-08-0238 MHP |
| Plaintiff, |) | STIPULATED ORDER MODIFYING |
| vs. |) | BRIEFING SCHEDULE FOR DEFENDANT |
| PETER HE, et al., |) | GUAN'S MOTION TO DISMISS COUNT |
| Defendants. |) | <u>FIVE OF THE INDICTMENT</u> |
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Plaintiff UNITED STATES OF AMERICA, by and through its counsel in this matter, Assistant United States Attorney ("AUSA") Owen P. Martikan, and defendant SHI GUANG GUAN, by and through his counsel, Peter Goodman, hereby stipulate and agree as follows:

1. On October 5, 2009, this Court set a briefing schedule and hearing date for defendant GUAN's intended Motion to Dismiss Count Five of the Indictment. The briefing schedule specifies that defendant GUAN file his motion on October 19, 2009, the government file its opposition on October 26, 2009, and any reply brief be filed on November 2, 2009. A hearing on the motion is scheduled to occur on November 9, 2009, at 11:00 a.m.

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2. Counsel for defendant LOPEZ has requested and the government has stipulated and agreed to a modification of the briefing schedule only which would provide that defendant GUAN will file his motion on October 22, 2009, the government will file its opposition on October 29, 2009, and any reply brief will be filed on November 3, 2009. The hearing date on the motion will remain November 9, 2009, at 11:00 a.m.

SO STIPULATED

DATED: October 16, 2009

/s/
PETER GOODMAN
Attorney for Defendant
SHI GUANG GUAN

SO STIPULATED

DATED: October 16, 2009

/s/
OWEN P. MARTIKAN
Assistant United States Attorney

ORDER MODIFYING BRIEFING SCHEDULE

Based on the Stipulation of the parties, IT IS HEREBY ORDERED that the briefing schedule for defendant GUAN's intended Motion to Dismiss Count Five of the Indictment set by this Court on October 5, 2009, be modified to provide that defendant GUAN will file his motion on October 22, 2009, the government will file its opposition on October 29, 2009, and any reply brief will be filed on November 3, 2009. The hearing date on the motion will remain November 9, 2009, at 11:00 a.m.

DATED: October 23, 2009


MARILYN HALL PATEL
United States District Court Judge